

Mary E. Bacon, Esq.
(NV Bar No. 12686)
Jessica E. Chong, Esq.
(NV Bar No. 13845)
SPENCER FANE LLP
300 S. Fourth Street, Suite 950
Las Vegas, NV 89101
Telephone: (702) 408-3400
Facsimile (702) 938-8648
Email: mbacon@spencerfane.com
jchong@spencerfane.com

Attorneys for Defendant USAA Casualty Insurance Company

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHRISTOPHER ORTIZ JR., an individual,

Plaintiff,

USAA CASUALTY INSURANCE COMPANY, a foreign corporation; **DOE INDIVIDUALS I-X**, inclusive; and **ROE CORPORATIONS I-X**, inclusive.

Defendants

Case No. 2:23-cv-00554-GMN-EJY

**STIPULATION AND ORDER TO
EXTEND DISCOVERY**

(SECOND REQUEST)

Plaintiff, Christopher Ortiz (“Plaintiff”), and Defendant, USAA Casualty Insurance Company (“Defendant”) have agreed to extend the discovery deadlines by 90 days. In support of this Stipulation the parties state as follows:

A. DISCOVERY THAT HAS BEEN COMPLETED

1. On July 10, 2023, the parties conducted an initial FRCP 26(f) conference.
 2. On July 18, 2023, Plaintiff served his FRCP 26 Initial Disclosures.
 3. On July 18, 2023, Defendant served their FRCP 26 Initial Disclosures.
 4. Defendant has subpoenaed Plaintiff's medical providers and pharmacies.
 5. On October 27, 2023, Defendant disclosed its FRCP first supplemental disclosures.

1 **B. DISCOVERY REMAINING:**

- 2 1. Plaintiff's supplemental FRCP disclosures;
- 3 2. Defendant's supplemental FRCP disclosures;
- 4 3. Defendant written discovery requests;
- 5 4. Initial and supplemental expert disclosures;
- 6 5. Independent Medical Examination of Plaintiff
- 7 6. Deposition of Plaintiff;
- 8 7. Deposition of Defendant;
- 9 8. Depositions of the parties' lay witnesses;
- 10 9. Depositions of the parties' expert witnesses; and
- 11 10. Any other potential depositions or written discovery which may become
 necessary as discovery continues.

12 **C. REASONS REMAINING DISCOVERY CANNOT BE COMPLETED WITHIN THE
 TIME SET BY PRIOR DISCOVERY PLAN:**

13 The parties have diligently engaged in discovery in this matter. The parties are
14 considering settlement Plaintiff is in the process of providing a settlement demand. Good
15 cause exists to continue existing deadlines because the Parties are currently engaged in
16 settlement negotiations, and a 90-day extension of the deadlines will provide
17 opportunities for resolution before expending extensive resources on expert disclosures
18 and related depositions. The Parties are also discussing utilizing the assistance of a
19 mediator if settlement discussions are unsuccessful.

20 No party will be prejudiced by the extension, and the requested extension is made in
21 good faith and not for purposes of delay. Based on the foregoing, the parties respectfully
22 request that the Court grant their joint request to extend the deadline by 90 days in
23 accordance with the requested amended discovery deadlines.

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D. ~~PROPOSED~~ SCHEDULE FOR COMPLETION OF DISCOVERY

Current Discovery Deadlines:

Last day to amend pleadings and add parties	Closed
Last day to disclose initial experts:	January 8, 2024
Last day to disclose rebuttal experts:	February 6, 2024
Close of Discovery:	March 7, 2024
Last day to file Dispositive Motions:	April 8, 2024

Proposed Discovery Deadlines:

Last day to amend pleadings and add parties	Closed
Last day to disclose initial experts:	April 8, 2024
Last day to disclose rebuttal experts:	May 7, 2024
Close of Discovery:	June 7, 2024
Last day to file Dispositive Motions:	July 8, 2024

E. CURRENT TRIAL DATE

A trial date has not been set.

15 | DATED this 7th day of December, 2023. DATED this 7th day of December, 2023.

16 | THE POWELL LAW FIRM

SPENCER FANE, LLP

17 || /s/ Tom W. Stewart

18 Paul D. Powell (7488)
19 Tom W. Stewart (14280)
8918 Spanish Ridge Avenue, Suite 100
Las Vegas, Nevada 89148

/s/ Mary E. Bacon

Mary E. Bacon, Esq.
(Nevada Bar No. 12686)
Jessica E. Chong, Esq.
(Nevada Bar No. 13845)
300 South Fourth Street, Suite 950
Las Vegas, Nevada 89101
*Attorneys for USAA Casualty Insurance
Policy*

ORDER

IT IS SO ORDERED.

Elyna J. Zouchah
U.S. MAGISTRATE JUDGE
Dated: December 7, 2023